IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 3RD APRIL 2007 / 13TH CHAITHRA 1930

Crl.MC.No. 1091 of 2007()

CRA.419/2006 of SESSIONS COURT, ALAPPUZHA
CC.734/2003 of JUDL.MAGISTRATE OF FIRST CLASS-II, CHERTHALA

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PETITIONER:

P.BABU,S/O.PONNAOPPAN,PARATHARA VEEDU,
POOCHAKKAL P.O,PANAVALLY,CHERTHALA.

BY ADV. SRI.JOBY CYRIAC

RESPONDENTS:
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1. SECRETARY,VELLAPPANATTU UNNATHARA
PADASEKHARA KARSHAKA SANGHOM,NADUVATH NAGAR P.O,
AROOKUTTY VILLAGE.

2. THE STATE OF KERALA REP.BY THE PUBLIC
PROSECUTOR,HIGH COURT OF KERALA AT ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 03/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.No.1091 of 2007

Dated this the 3rd day of April 2007

O R D E R

The petitioner faces indictment in a prosecution under Section 138 of the Negotiable Instruments Act. He has been found guilty, convicted and sentenced. His appeal was admitted by the appellate court and an order of suspension was granted subject to conditions. The petitioner was directed to deposit an amount of Rs.10,000/-. The petitioner has not deposited the amount within the time stipulated. The petitioner has now come to this court with the prayer that he may be permitted to make the deposit now in compliance with the order and the same may be reckoned as sufficient. The petitioner submits that he had submitted an application for extension of time but no orders have been passed by the learned Sessions Judge so far. I am satisfied, in these circumstances, that if the petitioner deposits the amount, as directed by the learned Sessions Judge, before the learned Magistrate within a period of seven days from this date, the same shall be reckoned as sufficient compliance by the learned Sessions Judge. The proceedings under Section 446

Cr.P.C., if any initiated, needless to say, will continue in accordance with law.

2. This Criminal Miscellaneous Case is accordingly allowed and the above directions are issued.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J

C.R.R.P.No.

ORDER

21ST DAY OF JULY 2006